

RECEIVED
CENTRAL FAX CENTER

JUN 10 2005

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and
Trademark Office at

(703) 872-9306 on the date shown below.

Donna J. Hittle


Signature

June 10, 2005

Date

Attorney Docket No. B45070-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Friede et al.

Serial No.: 09/819,464

Group Art Unit No: 1648

Filed: March 28, 2001

Examiner: Z. Lucas

For: VACCINES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In an Office Action dated May 17, 2005, the Examiner has required restriction under
35 U.S.C. 121 as follows:

I. Claims 74-84, drawn to compositions comprising an antigen and a
substantially pure saponin, classified in class 424, subclass 278.1

II. Claims 85-93, drawn to methods of inducing an immune response by
administration of a composition comprising an antigen and a saponin, classified in class 514,
subclass 2.

Additionally, the Examiner has required election of a specific pathogen in Claim 84 or
Claim 93. The Examiner has also required election of a specific metal that is to be used as a
metallic salt. Finally, the Examiner has required Applicant to elect a single disclosed species

- 2 -

Serial No.: 09/819,464
Group Art Unit No.:

for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

In response, Applicants elect Group I claims with traverse and select *Plasmodium* as the antigen (Claim 83) and aluminum as the specific metal (Claims 80-81). Further, Applicants select cholesterol as the sterol (Claim 76).

Respectfully submitted,



Reid S. Willis
Attorney for Applicants
Registration No. 39,429

GLAXOSMITHKLINE
Corporate Intellectual Property - UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Phone (610) 270-7481
Facsimile (610) 270-5090
N:\reid\patapps\B45070-1\Restriction Requirement